

SUMMARY SHEET

I. Description of Item

This resolution requests the Tennessee General Assembly support legislation repealing Tenn. Code Ann. § 16-2-518 relative to the requirement that local funding for the Public Defender's Office be increased when local funding for the District Attorney General's Office is increased. Pursuant to this statute, the County is required to increase the funding of the Public Defender's Office by 75% of any increase in funding for positions or office expenses for the District Attorney General's Office. The increased funding for the Public Defender's Office is for the purpose of indigent criminal defense.

The Public Defender's Office is currently staffed at 101% of its need based on the most recent Public Defender Weighted Caseload Study Update from the Office of the Comptroller. There is currently a ratio of more than 300 cases per assistant public defenders, but 900 cases per assistant district attorney. Strategy No. 4 of Operation Safe Community's Strategic Plan calls for an increase in the number of assistant district attorneys to 24 for the purpose of vertical prosecution and caseload reduction.

II. Source and Amount of Funding

Not applicable.

III. Contract Items

Not applicable.

IV. Additional Information Relevant to Approval of this Item

The current statute reads as follows: § 16-2-518. Public defenders

From and after July 1, 1992, any increase in local funding for positions or office expense for the district attorney general shall be accompanied by an increase in funding of seventy-five percent (75%) of the increase in funding to the office of the public defender in such district for the purpose of indigent criminal defense.